

EXHIBIT A

EJ15

Case Summary

Case No. 2021CV352644

Janet Hill VS. Community Loan	§ Location
Servicing, Shellpoint Mortgage Servicing	§ EJ15
	§ Judicial Officer
	§ GLANVILLE, URAL
	§ Filed on
	§ 08/02/2021

Case Information

Case Type: QUIET TITLE
Case Status: 08/02/2021 Open

Party Information




Lead Attorneys

PLAINTIFF Hill, Janet

MOSBY, RICARDO S
Retained

DEFENDANT Community Loan Servicing
Shellpoint Mortgage Servicing

Events and Orders of the Court

09/08/2021	 AFFIDAVIT OF SERVICE
09/08/2021	 AFFIDAVIT OF SERVICE
08/26/2021	 VERIFICATION

08/19/2021  AFFIDAVIT

08/02/2021  CASE INITIATION FORM

08/02/2021  PLAINTIFF'S ORIGINAL PETITION

Financial Information

PLAINTIFF Hill, Janet	
Total Financial Assessment	222.00
Total Payments and Credits	222.00
Balance Due as of 9/9/2021	0.00

IN THE SUPERIOR COURT OF FULTON COUNTY, GEORGIA
136 PRYOR STREET, ROOM C-103, ATLANTA, GEORGIA 30303

SUMMONS

JANET HILL

) Case 2021CV352644

) No.: _____

)

Plaintiff,

)

)

vs.

COMMUNITY LOAN SERVICING,

)

)

et.al.

)

)

Defendant

)

)

)

)

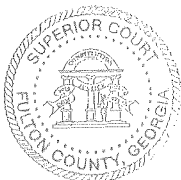
TO THE ABOVE NAMED DEFENDANT(S):

You are hereby summoned and required to file electronically with the Clerk of said Court at <https://efilega.tylerhost.net/ofswb> (unless you are exempt from filing electronically) and serve upon plaintiff's attorney, whose name and address is:

Ricardo Mosby
260 Peachtree Street
Suite 1403
Atlanta, Georgia 30303

An answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service; unless proof of service of this complaint is not filed within five (5) business days of such service. Then time to answer shall not commence until such proof of service has been filed. **IF YOU FAIL TO DO SO, JUDGMENT BY DEFAULT WILL BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**

This 2ND day of AUGUST, 20 21



Honorable Cathelene "Tina" Robinson
Clerk of Superior Court

By Cathelene Robinson
Deputy Clerk

To defendant upon whom this petition is served:

This copy of complaint and summons was served upon you _____, 20____

Deputy Sherriff

General Civil and Domestic Relations Case Filing Information Form

☒ Superior or ☐ State Court of Fulton County

For Clerk Use Only

Date Filed 8/2/2021

MM-DD-YYYY

Case Number 2021CV352644

Plaintiff(s)

Hill, Janet

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Defendant(s)

Community Loan Servicing

Last First Middle I. Suffix Prefix

Shellpoint Mortgage Servicing

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Plaintiff's Attorney Ricardo Mosby State Bar Number 526839 Self-Represented ☐

Check one case type and one sub-type in the same box (if a sub-type applies):

General Civil Cases

- ☐ Automobile Tort
- ☐ Civil Appeal
- ☐ Contempt/Modification/Other Post-Judgment
- ☐ Contract
- ☐ Garnishment
- ☐ General Tort
- ☐ Habeas Corpus
- ☐ Injunction/Mandamus/Other Writ
- ☐ Landlord/Tenant
- ☐ Medical Malpractice Tort
- ☐ Product Liability Tort
- ☒ Real Property
- ☐ Restraining Petition
- ☐ Other General Civil

Domestic Relations Cases

- ☐ Adoption
- ☐ Contempt
- ☐ Non-payment of child support, medical support, or alimony
- ☐ Dissolution/Divorce/Separate Maintenance/Alimony
- ☐ Family Violence Petition
- ☐ Modification
- ☐ Custody/Parenting Time/Visitation
- ☐ Paternity/Legitimation
- ☐ Support – IV-D
- ☐ Support – Private (non-IV-D)
- ☐ Other Domestic Relations

- ☐ Check if the action is related to another action pending or previously pending in this court involving some or all of the same: parties, subject matter, or factual issues. If so, provide a case number for each.

Case Number

Case Number

- ☒ I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in OCGA § 9-11-7.1.

- ☐ Is a foreign language or sign-language interpreter needed in this case? If so, provide the language(s) required.

Language(s) Required

- ☐ Do you or your client need any disability accommodations? If so, please describe the accommodation request.



IN THE SUPERIOR COURT OF FULTON COUNTY**STATE OF GEORGIA****JANET HILL****Plaintiff,****V.****COMMUNITY LOAN SERVICING f/k/a)****BAYVIEW LOAN SERVICING, and****SHELLPOINT MORTGAGE****SERVICING, all their****respective agents, successors, assigns,****predecessors and all others,****Defendants.****CIVIL ACTION****FILE NO. 2021CV352644****VERIFIED PETITION TO REMOVE CLOUD FROM TITLE**

COMES NOW, Janet Hill, (hereinafter "Petitioner") in the above styled action and by and through her counsel brings this Petition to Quiet Title under O.C.G.A. §§23-3-40 et. seq., and for a Declaratory Judgment and in support hereof brings Petitioner shows as follows:

JURISDICTION

1.

This action is a petition for quiet title and declaratory judgment, an in rem proceeding with the primary Respondent to wit: Defendants Community Loan Servicing a/k/a Bayview Loan Servicing and Shellpoint Mortgage Servicing, being now alleged debt collectors.

2.

The entirety of the subject property in question lies within the boundaries of Fulton County, Georgia, and thus, Petitioner shows jurisdiction and venue are proper in this Court.

3.

There appears of record in the office of the Clerk of the Superior court, Fulton County, Georgia, a certain alleged security deed to said land, purporting to have been executed for an alleged note for \$464,000.00, dated October 25, 2005.

4.

Bayview Loan Servicing, is now Community Loan Servicing, a foreign corporation incorporated in and under the laws of the Florida and may be served with a copy of summons and this Petition through its last known agent Corporation Service Company



1201 Hays Street, Tallahassee, Florida 32301, or by any other alternative means as allowed by law under.

5.

Upon information and belief Shellpoint Mortgage Servicing is either an alleged party in interest, a debt collector, or upon information and belief makes claim in the subject property and is a foreign corporation incorporated in and under the laws of the South Carolina and may be served with a copy of summons and this Petition through its registered agent or by any other alternative means as allowed by law.

6.

Notwithstanding the named Respondents, there may be unknown respondents, including unknown heirs, predecessors and assignees of any of the named Defendants, who could be in existence, who claim some right, title or interest in the Subject Property, and if so, such "unknown" parties may claim an interest in the Subject Property. If any "unknown" parties are necessary parties to this action. Petitioner contends that these "unknown" Respondents should be served by publication of notice.

7.

Plaintiff is the lawful owner of, has title and land to, and is in possession of the same real property more accurately identified as 543 Auburn Avenue, Atlanta, Georgia 30312 according to the present system of numbering in Atlanta, Fulton County, Georgia.

DECLARATORY JUDGMENT AND QUIET TITLE

8.

Petitioner incorporates the facts set forth in paragraphs one (1) through eight (8) above and makes such paragraphs a part of these causes of action.

9.

There is a definite, concrete, and actual controversy between the parties sufficient to sustain a declaratory judgment action.

10.

Petitioner seeks a declaratory judgment that improperly recorded deeds, improperly devised transfers, defeasible fees, contingency remainders, and executory limitations to title of the Subject Property arising out of any transfer of the subject property be terminated and extinguished.

11.

The equity of redemption expired and no person with right, title, or interest tendered or paid to Petitioner the monetary amount provided for redemption under O.C.G.A. § 48-4-42.

12.

Petitioner contends that all those actions to properly foreclose the right in any party having any interest therein, to redeem the Subject Property, as required by all applicable provisions of the Georgia Code, have been fully completed. Therefore, as a matter of law, the Petitioner holds Fee Simple absolute legal and equitable title to the Subject Property, the land and free from any claim of right, title or interest in any party, whether known or unknown.

13.

Petitioner is entitled a declaratory judgment under O.C.G.A. §§ 9-4-1 et seq. to the following:

- a. That the interest to the Subject Property under/through sale, transfer and/or assignment is terminated and extinguished.
- b. That any right, title and/or interest to the Subject Property created via sale transfer, assignment or through any contingent remainder, and/or executory limitation to any of the named Respondents or any of their respective employees, predecessors, agents or assigns was terminated and extinguished.

14.

Petitioner is entitled, under the operative provisions of O.C.G.A. §§ 23-3-40 et seq., to a determination and a declaratory finding of the status and the ownership of the subject property; and to an order of this Court decreeing such findings.

15.

Petitioner is entitled, under the operative provisions of O.C.G.A. §§ 23-3-40 et seq., to a determination and a declaratory finding of the status and the ownership of the subject property, the land and a conclusive establishment that she is the sole owner of the Subject Property and the land, that all claims by persons known and unknown shall be extinguished, that the Subject Property and land shall be free and clear of all claims, and an order of this Court decreeing such findings.

16.

Plaintiffs cannot immediately or effectually maintain or protect their rights by any other course or proceedings open to them other than the filing of this petition.

17.

Said security deed operates to throw a cloud or suspicion upon Plaintiff's title to said land and might be vexatiously or injuriously used against Plaintiff.

18.

By reason of any deed, liens, and/or other encumbrances upon the records of Fulton County, Petitioner's credit is impaired is personally slandered and the value of the said land destroyed, Petitioner being unable to perform any financial transactions thereon as long as said purported encumbrances are of record thereon (or although said purported claim of right is not asserted aggressively against Petitioner, they have reason to apprehend that the evidence upon which they rely to impeach the same as a claim of right may be lost or impaired by lapse of time).

WHEREFORE, Petitioner prays to the Court for relief as follows:

- (a) That no Special Master be appointed under O.C.G.A. §§ 23-3-43;
- (b) Cause service of process upon the Respondents, and/or all other parties at interest to this action, by and through personal service and/or publication, as necessary;
- (c) That all interested parties, having any claim in said property, or objection to the petition and/or other relief prayed for, appear and show cause, if any they have, why the prayers of the Petitioner should not be granted;

- (d) For a Finding and Declaratory Judgment that sales, transfers, assignments of any interest to the Subject Property be terminated, and extinguished;
- (e) For a finding that Petitioner is the valid holder of Fee Simple Title in the Subject Property, pursuant to O.C.G.A. §§ 48-4-45, et seq., as well as any other applicable Georgia Code Sections;
- (f) A jury trial
- (g) That an appropriate determination of quiet title be issued and recorded in the Office of the Clerk of the Superior Court of Fulton County, Georgia, which decree holds that Fee Simple title to the Subject Property has and is vested in Petitioner, free and clear of any claim of right, title or interest by any other Respondent, or any other party, known or unknown; and
- (h) For damages and such other and further relief as the court may deem just and equitable.

Respectfully resubmitted this 2nd day of August, 2021.

/Electronic Signature/ ~~or /s/~~ *Ricardo Mosby*

Ricardo Mosby
Georgia Bar No. 526839
260 Peachtree Street
Suite 1403
Atlanta, Georgia 30303

DeWayne Martin
Georgia Bar No. 472564
55 Ivan Allen Boulevard
Atlanta, Georgia 30308

Please Serve:

Mosby Law Firm, PC
260 Peachtree Street
Suite 1403
Atlanta, Georgia 30303
Phone: (404) 748-9305
Fax: (404) 748-9312
Email: efile@mosbylawfirm.com
admin@mosbylawfirm.com

Affidavit of Process Server

Superior Court of Fulton County

Janet Hill

VS

Community Loan Servicing f/k/a Bayview Loan Servicing, Shellpoint Mortgage Servicing, all their respective agents, successors, assigns, predecessors and all others CV 2021CV352644
PLAINTIFF/PETITIONER DEFENDANT/RESPONDENT CASE NUMBER

I Angela M. Claybrooks, being first duly sworn, depose and say: that I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to perform said service.

Service: Community Loan Servicing f/k/a Bayview Loan Servicing, Shellpoint Mortgage Servicing, all their respective agents, successors, assigns, predecessors and all others,
NAME OF PERSON / ENTITY BEING SERVED

with (list documents) Verified Petition to Remove Cloud on Title;

by leaving with Alicia Smith CSC Coordinator, Thompson, O'Brien, Kent and Nasuti, PC
Attorneys at Law
NAME RELATIONSHIP

Residence
ADDRESS CITY / STATE

Business Corporation Service Company (Registered Agent)
2 Sun Court, Suite 400 Peachtree Corners, GA 30092

ADDRESS CITY / STATE

On 08/12/2021 AT 4:37pm
DATE TIME

Inquired if subject was a member of the U.S. Military and was informed they are not.

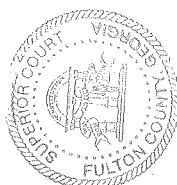
Thereafter copies of the documents were mailed by prepaid, first class mail on
DATE

from

CITY STATE ZIP

Manner of Service:

Personal: By personally delivering copies to the person being served.



Substituted at Residence: By leaving copies at the dwelling house or usual place of abode of the person being served with a member of the household over the age of _____ and explaining the general nature of the papers.

Substituted at Business: By leaving, during office hours, copies at the office of the person/entity being served with the person apparently in charge thereof.

Posting: By posting copies in a conspicuous manner to the front door of the person/entity being served.

Non-Service: After due search, careful inquiry and diligent attempts at the address(es) listed above, I have been unable to effect process upon the person/entity being served because of the following reason(s):

- ☐ Unknown at Address
☐ Moved, Left no Forwarding
☐ Service Cancelled by Litigant
☐ Unable to Serve in Timely Fashion
☐ Address Does Not Exist

Other _____

Service Attempts: Service was attempted on:

(1) _____ (2) _____

(3) _____ (4) _____

(5) _____

Description:

Age _____ Sex _____ Race _____ Height _____ Weight _____ Hair _____ Beard _____ Glasses _____

SIGNATURE OF PROCESS SERVER

Angela M. Claybrooks

SUBSCRIBED AND SWORN to before me this 13 day of August, 2021, by

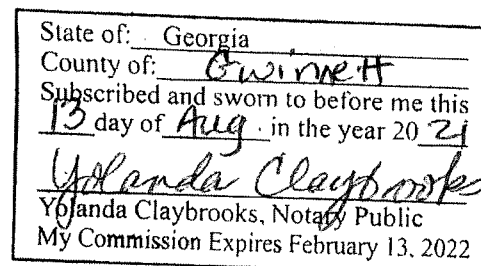
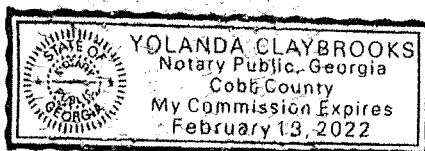
ANGELA M. CLAYBROOKS

Proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Yolanda Claybrooks

SIGNATURE OF NOTARY PUBLIC

NOTARY PUBLIC for the state of Georgia



**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

JANET HILL,

Plaintiff,

vs.

COMMUNITY LOAN SERVICING f/k/a
BAYVIEW LOAN SERVICING, and
SHELLPOINT MORTGAGE SERVICING,
all their respective agents, successors,
assigns, predecessors and all others,

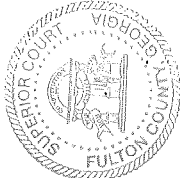
Defendants.

Civil Action No. 2021CV352644

VERIFICATION OF PETITION

Plaintiff hereby files the Verification for the Verified Petition To Remove
Cloud From Title filed on August 2, 2021, in the Superior Court of Fulton County.
This is Verification of Janet Hill, Plaintiff/Petitioner for the above reference case.

The petitioner, Janet Hill personally appeared before me, the undersigned
Notary Public duly authorized to administer oaths, who after being duly sworn
deposes and states that she is authorized to make this verification on behalf of
herself and that the facts alleged in the foregoing are true and correct based upon
personal knowledge, except as to the matters herein stated to be alleged on depose



and say on oath that she is the Plaintiff/Petitioner in the foregoing petition for clouded title matter and that the facts set forth therein are true and correct to the best of her knowledge and belief, and that as to those matters she believes them to be true.

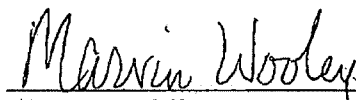
This Verification makes the foregoing document a sworn affidavit under penalty of perjury.

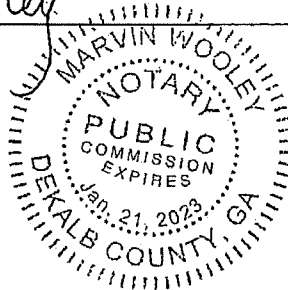
This 26th day of August, 2021.

A handwritten signature in black ink, appearing to be "Janet Hill", written over a horizontal line.

Janet Hill
534 Auburn Avenue
Atlanta, GA, 30312
(404) 861-6036
All rights reserved

Sworn to before me, this 26th day of August, 2021.


Notary Public



CERTIFICATE OF SERVICE

I hereby certify that I have served Defendants' with a true and correct copy of the foregoing Verification of Petition by registered agent and depositing the same in the United States Postal Service with adequate postage certified thereon to the following;

CORPORATION SERVICE COMPANY (REGISTERED AGENT)
2 SUN COURT
SUITE 400
PEACHTREE CORNERS, GA
REGISTERED AGENT FOR COMMUNITY LOAN SERVICING f/k/a BAYVIEW LOAN SERVICING

CORPORATION SERVICE COMPANY (REGISTERED AGENT)
2 SUN COURT
SUITE 400
PEACHTREE CORNERS, GA
REGISTERED AGENT FOR SHELLPOINT/NEWREZ

BRIAN WILLIAMS, CEO
SHELLPOINT PARTNERS, LLC
SHELLPOINT MORTGAGE SERVICING
75 BEATTIE PL
GREENVILLE, NC 29601

Respectfully submitted this 26th day of August 2021.

Janet Hill
404-861-6036
8/26/21
All Rights Reserved

AFFIDAVIT OF SERVICE

Case: 2021CV352644	Court: IN THE SUPERIOR COURT OF FULTON COUNTY	County: FULTON	Job: 6072779
Plaintiff / Petitioner: JANET HILL		Defendant / Respondent: COMMUNITY LOAN SERVICING F/K/A BAYVIEW LOAN SERVICING, SHELLPOINT MORTGAGE SERVICING, SHELLPOINT/NEWREZ	
Received by: LEOPOLD RUDDOCK		For: JANET HILL	
To be served upon: COMMUNITY LOAN SERVICING F/K/A BAYVIEW LOAN SERVICING REGISTERED AGENT CORPORATION SERVICE COMPANY			

I, Leopold Ruddock, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

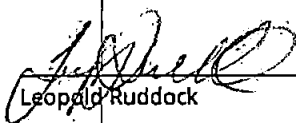
Recipient Name / Address: COMMUNITY LOAN SERVICING F/K/A BAYVIEW LOAN SERVICING REGISTERED AGENT CORPORATION SERVICE COMPANY, COMPANY: 2 SUN COURT, PEACHTREE CORNERS, GA 30096

Manner of Service: Registered Agent, Sep 1, 2021, 2:56 pm EDT

Documents: VERIFICATION OF PETITION CERTIFICATE OF SERVICE (Received Aug 31, 2021 at 12:00am EDT)

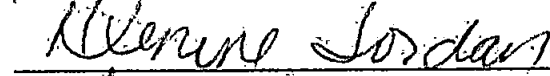
Additional Comments:

1) Successful Attempt: Sep 1, 2021, 2:56 pm EDT at COMPANY: 2 SUN COURT, PEACHTREE CORNERS, GA 30096 received by COMMUNITY LOAN SERVICING F/K/A BAYVIEW LOAN SERVICING REGISTERED AGENT CORPORATION SERVICE COMPANY. Served Alisha Smith; Age: 40; Ethnicity: African American; Gender: Female; Weight: 180; Height: 6'0"; Hair: Black; Eyes: Brown;


Leopold Ruddock

9/3/2021
Date

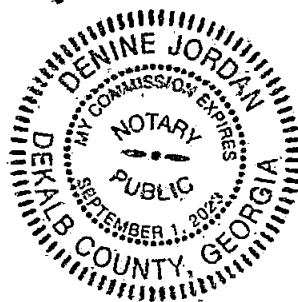
Subscribed and sworn to before me by the affiant who is personally known to me.


Denine Jordan

Notary Public

9/3/2021
Date

Sept 1, 2023
Commission Expires



AFFIDAVIT OF SERVICE

Case: 2021CV352644	Court: IN THE SUPERIOR COURT OF FULTON COUNTY	County: FULTON	Job: 6072780
Plaintiff / Petitioner: JANET HILL		Defendant / Respondent: COMMUNITY LOAN SERVICING F/K/A BAYVIEW LOAN SERVICING, SHELLPOINT MORTGAGE SERVICING, SHELLPOINT/NEWREZ	
Received by: LEOPOLD RUDDOCK		For: JANET HILL	
To be served upon: SHELLPOINT MORTGAGE SERVICING/NEWREZ REGISTERED AGENT CORPORATION SERVICE COMPANY			

I, Leopold Ruddock, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

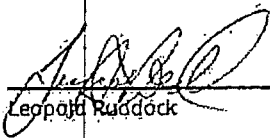
Recipient Name / Address: SHELLPOINT MORTGAGE SERVICING/NEWREZ REGISTERED AGENT CORPORATION SERVICE COMPANY,
COMPANY: 2 SUN COURT, PEACHTREE CORNERS, GA 30096

Manner of Service: Registered Agent, Sep 1, 2021, 2:56 pm EDT

Documents: VERIFICATION OF PETITION CERTIFICATE OF SERVICE, VERIFIED PETITION TO REMOVE CLOUD FROM TITLE
(Received Aug 31, 2021 at 12:00am EDT)

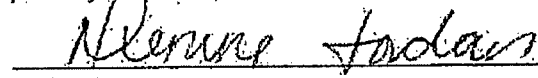
Additional Comments:

1) Successful Attempt: Sep 1, 2021, 2:56 pm EDT at COMPANY: 2 SUN COURT, PEACHTREE CORNERS, GA 30096 received by SHELLPOINT MORTGAGE SERVICING/NEWREZ REGISTERED AGENT CORPORATION SERVICE COMPANY. Age: 40; Ethnicity: African American; Gender: Female; Weight: 180; Height: 6; Hair: Black; Eyes: Brown; Relationship: Registered agent; Other: Served Alisha Smith; Served


Leopold Ruddock

9/3/2021
Date

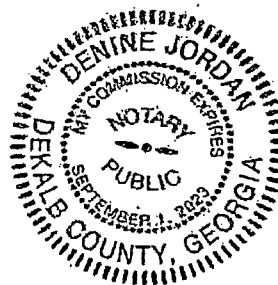
Subscribed and sworn to before me by the affiant who is personally known to me.


Denine Jordan

Notary Public

9/3/2021
Date

Sept 1, 2023
Commission Expires



AFFIDAVIT OF SERVICE

Case: 2021CV352644	Court: IN THE SUPERIOR COURT OF FULTON COUNTY	County: FULTON	Job: 6072788
Plaintiff / Petitioner: JANET HILL		Defendant / Respondent: COMMUNITY LOAN SERVICING F/K/A BAYVIEW LOAN SERVICING, SHELLPOINT MORTGAGE SERVICING, SHELLPOINT/NEWREZ	
Received by: Margaret Ruddock		For: JANET HILL	
To be served upon: GEORGIA SECRETARY OF STATE SHELLPOINT MORTGAGE SERVICING/NEWREZ			

I, Margaret Ruddock, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name / Address: GEORGIA SECRETARY OF STATE SHELLPOINT MORTGAGE SERVICING/NEWREZ, COMPANY: 2 MARTIN LUTHER KING JR DR SW, ATLANTA, GA 30334-9000

Manner of Service: Secretary of State, Sep 2, 2021, 2:26 pm EDT

Documents: VERIFICATION OF PETITION CERTIFICATE OF SERVICE, VERIFIED PETITION TO REMOVED CLOUD FROM TITLE (Received Aug 31, 2021 at 12:00am EDT)

Additional Comments:

1) Successful Attempt: Sep 2, 2021, 2:26 pm EDT at COMPANY: 2 MARTIN LUTHER KING JR DR SW, ATLANTA, GA 30334-9000 received by GEORGIA SECRETARY OF STATE SHELLPOINT MORTGAGE SERVICING/NEWREZ. Other: Served Denette Voundy, Black female, black hair, glasses, 28+, 5-8, ww 140-160lbs;
Served

Margaret Ruddock
Margaret Ruddock

9/3/2021
Date

Subscribed and sworn to before me by the affiant who is personally known to me.

Denine Jordan

Notary Public

9/3/2021

Date

Sept 1, 2023
Commission Expires

